

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

AMF BOWLING CENTERS, ET AL, )  
Plaintiffs, )  
v. )  
THOMAS TANASE, )  
Defendant. )  
Case No: 3:23-cv-448

**MOTION FOR LEAVE TO FILE COUNTERCLAIM AND TO ADD AN  
ADDITIONAL PARTY**

COMES NOW Defendant THOMAS TANASE, by counsel in the captioned case and hereby moves this Honorable Court, pursuant to Rule 13 of the Federal Rules of Civil Procedure to enter an order allowing Defendant THOMAS TANASE to file a Counterclaim, (attached hereto as Exhibit A), against Plaintiffs in the captioned case and further moves this Honorable Court pursuant to Rule 19, or alternatively, pursuant to Rule 20 of the foregoing rules to allow Defendant THOMAS TANASE to summon BRETT PARKER as a Counterclaim-Defendant in this case. As grounds for this Motion, Defendant states:

1. In their Complaint, Plaintiffs have alleged that Defendant THOMAS TANASE (Tanase) hacked into the emails of Tom Shannon (Shannon) after Tanase was terminated by Plaintiffs.
2. Tanase has vehemently denied the false allegations of hacking and has maintained that the allegations were a ruse to justify his wrongful termination and age discrimination.

3. In fact, in discussions with Counter-Defendant BRETT PARKER (Parker), Tanase denied the allegations resulting in Parker threatening criminal charges and this lawsuit if Tanase did not drop any claims against Plaintiffs, filed with the EEOC, or spoke with attorney Daniel W. Dowe, Esq.
4. Tanase's prior counsel did not file a counterclaim.
5. However, the issue of Tanase's termination, the false allegations by the Counter-Defendants, and age discrimination were heard by the EEOC, which determined that there was probable cause to believe that Tanase was wrongfully terminated due to age discrimination in violation of the 1967 Age Discrimination in Employment Act, 29 U.S. Code § 621, *et seq.*
6. In this case, Plaintiffs have been aware that the matters raised in the Counterclaim have been Tanase's position and that Tanase was asserting those matters as a defense to their allegations to be of no surprise nor prejudice to the Plaintiffs
7. Such other and further grounds as may become apparent at the hearing on this motion.

Respectfully submitted,

Thomas Tanase

/s/ I. Scott Pickus  
By Counsel

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 3<sup>rd</sup> day of April, 2024 I will electronically file the foregoing Motion for Leave to File Counterclaim and to Add an Additional Party with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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